

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.622(b),
Table of Allotments,
Digital Television Broadcast Stations.
(El Dorado, Arkansas)

MB Docket No. 04-282
RM-11042

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 27, 2004

Released: January 4, 2005

By the Chief, Video Division:

1. At the request of Arkansas Educational Television Commission ("AETC"), permittee of station KETZ, DTV channel *30,¹ El Dorado, Arkansas, the Commission has before it the Notice of Proposed Rule Making, 19 FCC Rcd 15279 (2004), proposing the substitution of DTV channel *12 for DTV channel *30.² AETC filed comments. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel *12 for DTV channel *30 since it will permit AETC to reduce its operating costs while expanding its service into an overlooked rural area. DTV channel *12 can be allotted to El Dorado, Arkansas, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 33-04-41 N. and 92-13-41 W. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station KETZ with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
AR El Dorado	*12	6	541	339

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283

¹ On July 23, 2004, the Commission adopted a *Report and Order*, 19 FCC Rcd 14447 (2004), amending Sections 73.606(b) and 73.622(b) to reflect the conversion of analog channel *30+ to DTV channel *30 at El Dorado, Arkansas, pursuant to the *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order*, 13 FCC Rcd 6860 (1998). This action constituted an editorial change to the Table of Allotments and DTV Table of Allotments, therefore, no public notice and comment proceeding was initiated.

² In its petition for rule making, AETC claimed that operating on a VHF channel in lieu of UHF would result in an estimated cost savings of \$176,000 per year. AETC further stated that early activation of station KETZ would allow AETC to expand its instructional offerings to an overlooked rural geographical area that includes school children of all ages.

of the Commission's Rules, IT IS ORDERED, That effective February 18, 2005, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
El Dorado, Arkansas	*12, 27

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Arkansas Educational Television Commission shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV Channel *12 in lieu of DTV Channel *30 for station KETZ-DT.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau